

IN SENATE OF THE UNITED STATES.

FEBRUARY 18, 1848.

Submitted, and ordered to be printed.

Mr. WESTCOTT made the following

REPORT:

The Committee on the Judiciary, to whom has been recommitted the petition of J. Bigelow, administrator of Francis Cazeau, deceased, and the report No. 52, (and bill No. 123, accompanying the same,) made in said case by same committee, report:

That since said report was made, on the 2d instant, it has been ascertained by the committee that on the 15th of June, 1844, (see Private Acts, volume 6, Statutes at Large, page 915, chapter 83,) an act was passed allowing payment to the legal representatives of Mr. Cazeau, of the sum of \$27,352 32, being the one-fourth part of the original claim allowed by the act of March 3, 1817, (see ib., page 191, chapter 70.) The other three-fourths were paid to J. B. Stewart, attorney and assignee of Mr. Cazeau, and the committee find nothing in the representations or arguments of the present petitioner to satisfy them such payment was illegal, or that the government can be called, upon any principle of equity, to pay such amount again. The act of 1844 escaped the notice of the committee when the report last made was under consideration, owing to its being omitted in the index to the volume of the laws above cited, and as the phraseology of the petition, which suppresses the distinct statement of the fact, that such act had been passed, misled the committee to the conclusion that petitioner was asking for payment of the whole amount of the original claim. Inasmuch as petitioner has been paid the quarter recommended to be allowed by the bill last reported, and as his claim for the other three quarters is not regarded as just, no further legislation is necessary. The committee, therefore, report the following resolution, in lieu of said bill, No. 123.

Resolved, That no further allowance should be made by Congress upon the claim of the representatives of Francis Cazeau, deceased.

IN SENATE OF THE UNITED STATES

February 18, 1848.

Submitted, and ordered to be printed.

Mr. Westcott made the following

REPORT

The Committee on the Judiciary, to whom has been recommended the petition of J. B. Stew-
art, administrator of Francis Cassan, deceased,
and the report No. 62, (and bill No. 123, accompanying the same),
reads in this case the following report:

That since said report was made, on the 24 instant, it has been
ascertained by the committee that on the 15th of June, 1844, (see
Private Acts, volume 6, Statutes at Large, page 915, chapter 23)
an act was passed allowing payment to the legal representative of
Mr. Cassan, of the sum of \$27,352 33, being the one-fourth part of
the original claim allowed by the act of March 3, 1817. (see id., page
181, chapter 70.) The other three-fourths were paid to J. B. Ste-
wart, attorney and assignee of Mr. Cassan, and the committee find
nothing in the representations or arguments of the present peti-
tioner to satisfy them such payment was illegal, or that the govern-
ment can be called upon any principle of equity, to pay such
amount again. The act of 1844 rescinded the notice of the com-
mittee when the report last made was under consideration, owing to
its being omitted in the index to the volume of the laws above
cited, and as the phraseology of the petition, which supersedes the
distinct statement of the fact, that such act had been passed, mis-
led the committee to the conclusion that petitioner was asking for
payment of the whole amount of the original claim. Inasmuch as
petitioner has been paid the quarter recommended to be allowed by
the bill last reported, and as his claim for the other three quarters
is not regarded as just, no further legislation is necessary. The
committee, therefore, report the following resolution, in lieu of
said bill, No. 123.

Resolved, That no further allowance should be made by Con-
gress upon the claim of the representatives of Francis Cassan,
deceased.